REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4, and 6 are pending in this application. Claims 2 and 5 are canceled, and Claims 1, 4, and 6 are amended by the present amendment.

Claim amendments find support in the specification as originally filed, at least at page 7, lines 15-17, and page 9, lines 16-20. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 2, and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Harel et al. (U.S. Patent 6,128,472; herein "Harel") and Gosselin (WO 01/65885); and Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as unpatentable over Harel in view of Gosselin, and Kall et al. (U.S. Patent 7,149,195; herein "Kall").

Applicants respectfully traverse the rejection of Claims 1, 2, and 6 under 35 U.S.C. § 103(a) as unpatentable over Harel and Gosselin, with respect to amended independent Claims 1 and 6.

Amended Claim 1 is directed to a base station supporting multicast communication. The base station includes a response signal relay that is configured to receive plural response signals to a common control signal from plural of the mobile stations in a multicast group. The number of the plural response signals corresponds to a total number of response signals received from the plural mobile stations and includes a maximum of one response signal from each of the one or more mobile stations. The response signal relay is also configured to receive a subsequent response signal to the common control signal from a second mobile station in the multicast group. The second mobile station is not included in the plural of the mobile stations, and the subsequent response signal is received after the plural response signals. Further, the response signal relay is configured to transfer only the plural response

signals received from the plural mobile stations to a controller without waiting to receive the subsequent response signal. The base station is also configured to retain the subsequent response signal to the common control signal. Independent Claim 6 includes similar features, with a response signal relay configured to process only the plural response signals received from the plural mobile stations to a controller without waiting to receive the subsequent response signal, and unprocess the subsequent response signal.

In a non-limiting embodiment, Applicants' Figure 7 shows an example of a communication system including plural mobile stations 11, 12, 21, 41, 42, and 43 and a base station 10. As shown in this example, the base station 10 may send a service notice signal 1002 (e.g., common control signal) to the mobile stations, and plural of the mobile stations in the multicast group may transmit a response signal 1004 (e.g., response signals transmitted from mobile stations 11 and 21). The base station 10 in this example is further configured to transfer plural of the total number of messages received from the mobile stations and to retain a subsequent message received from a mobile station. For example, if mobile stations 11 and 21 each send one response signal 1004 to the base station 10, and if the number of the plural messages is two (2), the base station 10 transfers only the two messages (e.g., the plural response signals received from the plural mobile stations), and the base station 10 will not wait to receive a subsequent response signal (e.g., a response signal 1004 from another mobile station, such as mobile station 12).

Applicants respectfully submit that Harel and Gosselin fail to teach or suggest each of the features of independent Claims 1 and 6.

Harel describes a base station network 300 of a two-way pager system, having a message management system 310 coupled between a base station controller 112 and receivers 108 and 110 that receive plural messages from plural subscriber units (SU).[1] According to

[1] Harel at column 3, lines 59-65, column 4, lines 26-32, and Fig. 3.

Harel, a message manager 320, which is included in the message management system 310, "may be preprogrammed with a stored list of multicast group common identifiers" and "will direct ***exactly one*** selected message from the multicast message group to the central base station controller 112."[2] Thus, according to Harel, there is "exactly one" message directed from the multicast message group to the central base controller, and therefore, Harel teaches away from directing more than one message (i.e., plural messages) from the multicast message group to the central base controller.

Accordingly, it is respectfully submitted that Harel fails to teach or suggest a response signal relay configured to "transfer only the plural response signals received from the plural mobile stations to a controller," as recited in Claim 1, and as similarly recited in Claim 6.

Further, Applicants respectfully traverse the assertion in the Office Action that "[t]he examiner is unable to find in Harel where it says the multicast messages are simultaneously sent."[3] However, as clearly pointed out in the previous response, the Abstract of Harel indicates that "[s]ubscribers are selectively grouped into a multicast group for ***simultaneously*** transmitting messages to the message management system, the ***simultaneously*** transmitted messages making up a multicast message group. The message management system receives the multicast message group, directs exactly one selected message of the multicast message group to the central base station controller, and diverts the remaining message."[4]

In other words, according to Harel a message management system (e.g., base station) receives plural messages that are simultaneously transmitted from plural subscriber units and sends one selected message from the simultaneously transmitted plural messages to the central controller ***after*** receiving all the simultaneously transmitted messages. Therefore, Applicants respectfully submit that Harel fails to teach or suggest a base station that transfers

[2] Harel at column 4, lines 35-47 (emphasis added).
[3] Office Action at page 5, right hand column of table.
[4] Harel at Abstract (emphasis added).

only a predetermined number of response signals "without waiting to receive the subsequent response signal," as recited in independent Claims 1 and 6.

Accordingly, Applicants respectfully submit that independent Claims 1 and 6 patentably define over Harel. Further, Applicants have reviewed Gosselin and respectfully submit that Gosselin also fails to teach or suggest the claimed features lacking in the disclosure of Harel.

Therefore, it is respectfully submitted that independent Claims 1 and 6, and claims depending therefrom, patentably define over Harel and Gosselin.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 2 and 6 under 35 U.S.C. § 103(a) be withdrawn.

Further, Applicants respectfully traverse the rejection of Claims 4 and 5 under 35 U.S.C. § 103(a) as unpatentable over Harel, Gosselin, and Kall, with respect to amended Claim 4.

Claim 4 is directed to a radio network controller supporting multicast communication. The radio network controller is configured to receive plural response signals to a common control signal from plural mobile stations in a multicast group. Further, the radio network controller is also configured to perform a predetermined processing on only the plural response signals without performing the predetermined processing on a subsequent response signal.

As discussed above, Harel and Gosselin fail to teach or suggest transferring only plural response signals received from plural mobile stations to a controller. Thus, for the reasons discussed above, it is clear that Harel and Gosselin also fail to disclose performing a predetermined processing on only plural response signals.

Applicants respectfully submit that Kall fails to supply the features of Claim 4 lacking in the disclosures of Harel and Gosselin. Kall describes a method for multicasting data in

which an identifier identifies when a selected number of mobile user endpoints are to receive the same multicast data, and in that case, the multicast data is broadcast to the mobile user endpoints using a common channel.[5] For example, according to Kall, a RNC 36 RANcasts (i.e., multicasts) multicast data when the number of mobile stations requesting transmission of multicast data is increased more than the selected level.[6] In other words, according to Kall, a radio network controller unicasts multicast data when the number of mobile stations requesting transmission of the multicast data is reduced beneath a selected level. Further, as noted in the previous Office Action, Kall fails to teach performing processing on only a predetermined number of response signals.[7] Accordingly, Applicants respectfully submit that Kall fails to teach or suggest a radio network controller that is configured to "perform a predetermined processing on only the plural response signals without performing the predetermined processing on the subsequent response signal," as required by amended Claim 4.

Thus, it is respectfully submitted that independent Claim 4 also patentably defines over Harel, Gosselin, and Kall, whether taken individually or in combination.

Therefore, Applicants respectfully submit that independent Claims 1, 4, and 6, and claims depending therefrom, are allowable.

[5] Kall at Abstract.
[6] Kall at column 6, lines 60-66.
[7] Office Action mailed December 17, 2007, at page 4, lines 7-8.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present application, including Claims 1, 4, and 6, is patentably distinguished over the prior art, and therefore in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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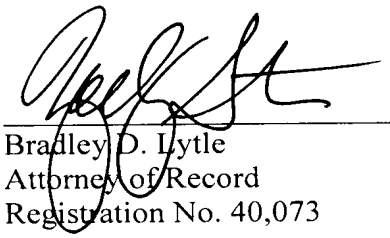

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